



Atty. Docket No.: 3284/1220

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Joel Habener, et al.
Serial No.: 09/731,255
Filed: December 6, 2000
Entitled: "Stem Cells And Their Use In
Transplantation"

Examiner: Bunner, B.E.
Group Art Unit: 1647
Conf. No.: 9070

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8a

I hereby certify that this correspondence (and any paper or fee referred to as being enclosed) is being deposited with the United States Post Office as First Class Mail on the date indicated above in an envelope addressed to Commissioner for Patents, Office of Initial Patent examination, Customer Service Center, Washington, D.C. 20231.

Kathleen M. Williams
Name of Person Mailing Paper

Signature of Person Mailing Paper

RECEIVED

SEP 12 2003

Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, D.C. 20231

TECH CENTER 1600/2900

CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. §1.48(a)

Sir:

Applicants hereby request that the inventorship of the above captioned patent application be corrected to include Melissa K. Thomas of Boston, Massachusetts as an inventor. Melissa K. Thomas was inadvertently omitted on the executed declaration originally filed with this application. Applicants submit that this error was inadvertent and occurred without deceptive intent.

Applicants submit herewith a correct, substitute Declaration showing the inventors for the present application as:

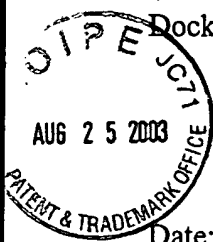
Joel E. Habener, Newton Highlands, MA;
Hendrik Zulewski, Geneva, Switzerland;
Elizabeth J. Abraham, Quincy, MA;
Mario Vallejo, Madrid, Spain;
Denise L. Faustman, Weston, MA; and
Melissa K. Thomas, Boston, MA.

Applicants also submit herewith a statement from Melissa K. Thomas stating that the error in inventorship occurred without deceptive intent.

Please enter the executed Declaration filed herewith into the above captioned application. Applicants further request issuance of a corrected Official Filing Receipt for the above-identified patent application.

Serial No.: 09/731,255

Docket No.: 3284/1220



Date: August 28, 2002

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kathleen M. Williams", written over a horizontal line.

Name: Kathleen M. Williams

Registration No.: 34,380

Customer No.: 29933

Palmer & Dodge LLP

111 Huntington Avenue

Boston, MA 02199

Tel: 617-239-0100

RECEIVED

SEP 12 2003

TECH CENTER 1600/2900

Atty. Docket No.: 3284/1220

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Joel Habener, et al.
Serial No.: 09/731,255
Filed: December 6, 2000
Entitled: "Stem Cells And Their Use In
Transplantation"

Examiner: Not yet assigned

Group Art Unit: 1645

Conf. No.: 9070

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.82

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Kathleen M. Williams

Name of Person Mailing Paper

Signature of Person Mailing Paper

Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, D.C. 20231

RECEIVED

SEP 12 2003

TECH CENTER 1600/2900

Statement of Lack of Deceptive Intention

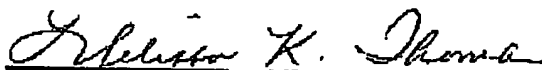
Sir:

I hereby state that I am an inventor in the above-captioned patent application, but by inadvertent error, was not included on the executed declaration filed previously.

I hereby state that the inventorship error occurred without any deceptive intent.

Respectfully submitted,

Date: August 21, 2002



Name: Melissa K. Thomas
Boston, MA

Express Mail Label Number:

Date of Deposit:

Practitioner's Docket No. 3284/1220

PATENT

**COMBINED DECLARATION AND POWER OF ATTORNEY
(FOR PATENT APPLICATION)**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe that I am an original, first and joint inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

"STEM CELLS AND THEIR USE IN TRANSPLANTATION"

(check one) ☐ is attached hereto.

☒ was filed on December 6, 2000 as

Application Serial No.: 09/731,255

And was amended on _____, if applicable

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I do now know and do not believe that the invention was ever patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application.

I do not know and do not believe that the invention was in public use or on sale in the United States of America more than one year prior to this application.

I acknowledge the duty to disclose information, which is material to the patentability of this application in accordance with Title 37 CFR § 1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Date Filed

Priority Claimed

Number

Country

☐
Yes

☐
No

Number

Country

☐
Yes

☐
No

Serial No.: 09/731,255

Page 2

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

<u>Application Number</u>	<u>Filing Date</u>
1. 60/169,082	December 6, 1999
2. 60/215,109	June 28, 2000
3. 60/238,880	October 6, 2000

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(e) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

<u>Application Number</u>	<u>Filing Date</u>	<u>Status - patented, pending, abandoned</u>
1.		

POWER OF ATTORNEY

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

APPOINTED PRACTITIONER(S)

REGISTRATION NUMBER(S)

Kathleen M. Williams	34,380
Richard B. Smith	34,020
Paula Campbell Evans	32,503
Joyce C. Hersh	42,890
David Dykeman	46,678
Mark J. FitzGerald	45,928
Elizabeth Neuman Spar	45,123
Matthew M. Beaudet	50,649
Michael P. Doyle	49,052

Address all correspondence to:

KATHLEEN M. WILLIAMS

Customer No.: 29933

Palmer & Dodge, LLP

111 Huntington Avenue

Boston, MA 02199-7613

Direct all telephone calls to Kathleen M. Williams at (617) 239-0100

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

First Named Inventor:

Joel F. Habener Date: June 21, 2002
Inventor's Signature
Name: Joel F. Habener JOEL F. HABENER JFH/6/21/02
Residence: United States
Citizenship: United States
Post Office Address: 217 Plymouth Road, Newton
Highlands, MA 02461 156 GRANT AVENUE
NEWTON CENTRE, MA 02459
JFH/6/21/02

Second Named Inventor:

Inventor's Signature
Name: Hendrik Zulewski
Residence: Switzerland
Citizenship: German
Post Office Address: Av. De La Grenade, 19, CH-
1207 Geneva, Switzerland

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First Named Inventor:

Inventor's Signature

Name: Joel E. Habener

Residence: United States

Citizenship: United States

Post Office Address: 217 Plymouth Road, Newton
Highlands, MA 02161

Date:

Second Named Inventor:

Inventor's Signature

Name: Hendrik Zulewski

Residence: Switzerland

Citizenship: German

Post Office Address: Av. De La Grenade, 19, CH-
1207 Geneva, Switzerland

Date:

offenburgerstrasse 55, CH-4057
Basel

Serial No.: 09/731,255

Page 4

Third Named Inventor:

Elizabeth J. Abraham

Date:

6/24/02

Inventor's Signature

Name: Elizabeth J. Abraham

Residence: United States

Citizenship: United States

Post Office Address: 119 Utica Street, Quincy, MA
02169

Fourth Named Inventor:

Date:

Inventor's Signature

Name: Mario Vallejo

Residence: Spain

Citizenship: Spanish

Post Office Address: Pasco Infanta Isabel 15, 3D,
28014 Madrid, Spain

Fifth Named Inventor:

Date:

Inventor's Signature

Name: Denise L. Faustman

Residence: United States

Citizenship: United States

Post Office Address: 74 Pinecroft Road, Weston, MA
02193

Sixth Named Inventor:

Date:

Inventor's Signature

Name: Melissa K. Thomas

Residence: United States

Citizenship: United States

Post Office Address: One Longfellow Place, Apt.
2616, Boston, MA 02114

TOTAL P.03

Third Named Inventor:

Inventor's Signature Date: _____

Name: Elizabeth H. Abraham
Residence: United States
Citizenship: United States
Post Office Address: 19 Utica Street, Quincy, MA
02169

Fourth Named Inventor:

M. Valero _____ Date: *June 19, 2002*

Inventor's Signature
Name: Mario Vallejo
Residence: Spain
Citizenship: Spanish
Post Office Address: Paseo Infanta Isabel 15, 3D,
28014 Madrid, Spain

Fifth Named Inventor:

Inventor's Signature Date: _____

Name: Denise L. Faustman
Residence: United States
Citizenship: United States
Post Office Address: 74 Pincroft Road, Weston, MA
02193

Sixth Named Inventor:

Inventor's Signature Date: _____

Name: Melissa K. Thomas
Residence: United States
Citizenship: United States
Post Office Address: One Longfellow Place, Apt.
2616, Boston, MA 02114

Express Mail Label Number:

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Practitioner's Docket No. 3284/1220

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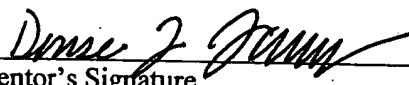
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Date:

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Inventor's Signature

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Date:

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Date:

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Citizenship: United States

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Inventor's Signature

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Date:

Name: Denise L. Faustman

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Citizenship: United States

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Melissa K. Thomas
Inventor's Signature

Date:

6/26/02

Name: Melissa K. Thomas

Residence: United States

Citizenship: United States

Post Office Address: One Longfellow Place, Apt.
2616, Boston, MA 02114

Serial No. 09/731,255 File No. 3284/1220 By KMW/MB

Applicant(s): Habener, et al.

Title: Stem Cells and Their Use In Transplantation

The Following, DUE _____ in the USPTO, was received by the PTO Mail Room on the date stamped hereon:

- | | |
|--|--|
| <input type="checkbox"/> Cert. of Mailing by Express Mail (37 CFR 1.10) | <input type="checkbox"/> Response to Notice to File Missing Parts |
| Express Mail Label No. _____ | <input type="checkbox"/> Copy of Part 2 of NFMP |
| <input type="checkbox"/> Cert. of Mailing under 37 CFR 1.8(a) | <input type="checkbox"/> Diskette Containing Nucleotide and/or |
| <input type="checkbox"/> Patent Application (_____ total pgs) | Amino Acid Sequence Listing |
| <input type="checkbox"/> Provisional or <input type="checkbox"/> Non-Provisional | <input type="checkbox"/> Priority Document(s) # _____ |
| (pgs) Specification (pgs) Abstract, | <input type="checkbox"/> Amendment/Response |
| (pgs) Claims (_____ # claims) | <input type="checkbox"/> Petition for Extension of Time (x2) |
| <input type="checkbox"/> New Patent Application Transmittal | <input checked="" type="checkbox"/> Check in the amount of <u>\$130.00</u> |
| <input type="checkbox"/> Provisional Patent Application Cover Sheet | Check # _____ |
| <input checked="" type="checkbox"/> Declaration and Power of Attorney | <input type="checkbox"/> Transmittal of Formal Drawings |
| <input type="checkbox"/> Application Data Sheet | <input type="checkbox"/> Motion/Opposition/Reply |
| <input type="checkbox"/> Drawings _____ Sheet(s) (FIGS. _____) | <input type="checkbox"/> Request for Cont'd Examination (RCE) |
| <input type="checkbox"/> Formal or <input type="checkbox"/> Informal | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Assignment of _____ | <input type="checkbox"/> Appeal Brief (x3) |
| <input type="checkbox"/> Recordation Cover Sheet Form PTO-1595 | <input type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> Information Disclosure Statement | <input checked="" type="checkbox"/> Transmittal Letter (x2) |
| <input type="checkbox"/> Form PTO 1449 and Copies of Cited References | |

☒ Other Correction of Inventorship; and
Statement of Lack of Deceptive Intention.

MAILED August 28, 2002

PALMER & DODGE LLP
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Boston, MA 02110-2000
Tel: 617.261.1000
Fax: 617.261.1001
E-Mail: info@palmerdodge.com

03/4784 12-153
08/23/02

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\$ 130.00

COMMISSIONER FOR PATENTS

PALMER & DODGE LLP

Maria A. Machado AUTH: SIG

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